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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,268	08/31/2000	Jian-Shiou Liaw	2648.63638	3084

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EXAMINER

CHOI, STEPHEN

ART UNIT

PAPER NUMBER

3724

DATE MAILED: 02/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/652,268

Applicant(s)

LIAW, JIAN-SHIU

Examiner

Stephen Choi

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 11 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Stanich et al. (US 4,803,903, hereafter Stanich).

Stanich discloses all the recited elements of the invention including:

- a) a connecting tube having first and second ends (30);
- b) an extension rod having first and second ends (26A);
- c) a cylinder having a body end, an opening end, and a through hole (34, 34A).

It is noted that applicant is claiming only the subcombination of the extension assembly without the cutting tool.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (hereafter AAPA) in view of Stanich and Frenkel (US 5,709,136).

AAPA discloses the invention substantially as claimed except for an extension assembly including a connecting tube, an extension rod, and a cylinder. Stanich discloses a connecting tube having first and second ends (30), an extension rod having first and second ends (26A), and a cylinder having a body end, an opening end, and a through hole (34, 34A). Furthermore, Frenkel teaches that it is known to employ an extension adapter for a cutting tool. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide an extension assembly as taught by Stanich on the device of AAPA in order to provide means for extending length of the tool to provide greater versatility. Nevertheless, it is noted that applicant's claims are drawn to the subcombination of the extension assembly without the cutting tool. This rejection shows that the claimed subcombination would have been obvious to connect to a cutting tool.

5. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanich in view of Yamada (US 4,179,805) or, over AAPA in view of Stanich and Frenkel as applied to claim 11 above, and further in view of Yamada (US 4,179,805).

Stanich (or the modified device of AAPA) discloses the invention substantially as claimed except for an adjustable handle assembly including a rotatable tube and a threaded rod. Yamada discloses a handle assembly (20) including a rotatable tube (21) and a threaded rod (23). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a handle assembly including a

rotatable tube and a threaded rod as taught by Yamada on the device of Stanich (or the modified device of AAPA) in order to provide an additional adjustable support for an operator to stabilize the tool against vibration to facilitate maintaining the position of the tool against the workpiece while in use.

6. Claim 15, as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Stanich in view of Galat (US 6,055,887) or, over AAPA in view of Stanich and Frenkel as applied to claim 11 above, and further in view of Galat (US 6,055,887).

Stanich (or the modified device of AAPA) discloses the invention substantially as claimed except for a bearing mounted on the first and second ends of the extension rod, and abutting the cylinder. Galat discloses a bearing (40). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a bearing as taught by Galat on the device of Stanich in order to rotationally support the extension rod. Furthermore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the bearing on both ends of the extension rod, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art.

Response to Arguments

7. Applicant's arguments with respect to claims 11-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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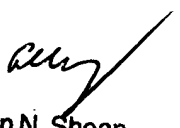
§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Choi whose telephone number is 703-306-4523. The examiner can normally be reached on Monday thru Friday between 9am and 5pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on 703-308-1082.

In lieu of mailing, it is encouraged that all formal responses be faxed to 703-872-9302. Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is 703-308-1148.

SC
February 24, 2003


Allan N. Shoap
Supervisory Patent Examiner
Group 3700